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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/538,936

03/16/2006

Claude Poletti

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EXAMINER

ABRISHAMKAR, KAVEH

ART UNIT

PAPER NUMBER

2131

MAIL DATE

DELIVERY MODE

06/20/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/538,936	Applicant(s) POLETTI, CLAUDE	
	Examiner KAVEH ABRISHAMKAR	Art Unit 2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/13/05, 3/10/08</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the communication filed on June 13, 2005. Claims 1-11 were originally received for consideration. A preliminary amendment was received amending claims 1, and 7-11.
2. Claims 1-11 are currently being considered.

Information Disclosure Statement

3. Initialed and dated copies of the Applicant's IDS form 1449, received on 6/13/2005 and 3/10/08, are attached to this Office action.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Rhoads et al. (U.S. Patent Pub. No. US 2002/0122564 A1).

Regarding claim 1, Rhoads discloses:

Inspection apparatus comprising, in a secure casing:

a central processing unit (paragraph 0101: *a computer*);

at least one digital audiovisual device (paragraph 0102: *digital camera*);

a clock (paragraph 0047: *can identity the date/time of data acquisition*);

a watermark capable of embedding the temporal information provided by said clock in the data stream coming from said audiovisual device (paragraphs 0070-0071: *wherein the geovector information, including the time, is embedded in the photograph with a watermark*).

Claim 2 is rejected as applied above in rejecting claim 1. Furthermore, Rhoads discloses:

Apparatus according to claim 1, characterized in that said audiovisual device is a camera (paragraph 0102: *a camera*).

Claim 3 is rejected as applied above in rejecting claim 1. Furthermore, Rhoads discloses:

Apparatus according to claim 1, characterized in that said audiovisual device (2) is a video camera (paragraph 0102: *a camera used in digital movies*).

Claim 4 is rejected as applied above in rejecting claim 1. Furthermore, Rhoads discloses:

Apparatus according to claim 1, characterized in that said audiovisual device (2) is a sound recorder (paragraph 0102: *a camera used in digital movies which record sound*).

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Claim 5 is rejected as applied above in rejecting claim 1. Furthermore, Rhoads discloses:

Apparatus according to claim 1, characterized in that it further comprises a device for measuring the geographic position of the apparatus (paragraph 0068: *using GPS to determine the location of the apparatus*), and in that said watermark is capable of embedding the information provided by said geographic position measuring device in the data stream coming from the audiovisual device (paragraph 0070-0071: *wherein the location information is embedded in the information (photograph, movie)*).

Claim 6 is rejected as applied above in rejecting claim 1. Furthermore, Rhoads discloses:

Apparatus according to claim 5, characterized in that said geographic position measuring device is a receiver forming part of the GPS system paragraph 0068: *using GPS to determine the location of the apparatus*).

Claim 7 is rejected as applied above in rejecting claim 1. Furthermore, Rhoads discloses:

Apparatus according to claim 1, characterized in that it further comprises a distance measuring device (paragraph 0068: *using GPS to determine the location of the apparatus*).

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Claim 8 is rejected as applied above in rejecting claim 1. Furthermore, Rhoads discloses:

Apparatus according to claim 1, characterized in that it further comprises a thermal probe (paragraph 0099: *thermal maps*).

Claim 9 is rejected as applied above in rejecting claim 1. Furthermore, Rhoads discloses:

Apparatus according to claim 1, characterized in that it further comprises an inclinometer (paragraph 0068: *wherein the GPS can measure the altitude/height*).

Claim 10 is rejected as applied above in rejecting claim 1. Furthermore, Rhoads discloses:

Apparatus according to claim 1, characterized in that it further comprises an electronic compass (paragraph 0068: *comprises compass functionality*).

Claim 11 is rejected as applied above in rejecting claim 1. Furthermore, Rhoads discloses:

Apparatus according to claim 1, characterized in that it further comprises at least one connector enabling an external source of secure data to be attached (paragraph 0070-0071: *wherein the location information is embedded in the information (photograph, movie)*).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAVEH ABRISHAMKAR whose telephone number is (571)272-3786. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kaveh Abrishamkar/
Examiner, Art Unit 2131

/K. A./
06/18/2008
Examiner, Art Unit 2131